

Defendants SOLDADO CORPORATION, GABRIEL GONZALEZ, JR., and BRIAN J. ENGEL, and plaintiffs ALAN J. WATSON, CASH FLOW FINANCIAL, LLC, GALVESTON MATRIX DIVERSIFIED TRUST, and DAVID F. KLIMA, being all the parties who have appeared in this action, hereby stipulate and agree (in accordance with USDC-NDCA Local Rules 7-1(a)(2), 6-1(b), and 6-2, and ADR Local Rule 6-5), and jointly request the Court (in accordance with USDC-NDCA Local Rule 7-12 and Civil Standing Order ¶ 3), to modify two pre-trial deadlines: A) the deadline for filing of a proposed pre-trial order and other filings in accordance with the Court's GUIDELINES FOR TRIAL AND FINAL PRETRIAL CONFERENCE IN CIVIL JURY CASES ¶¶ 1-2 (requesting until April 27, 2012 to file proposed final judgment/dismissals of the entire action); and, B) the pre-trial conference scheduled for April 30, 2012 (to an appropriate date after April 27, 2012, by which time the parties anticipate proposed/fled final disposition of this action). No party will be prejudiced by this application, because all claims against the only non-appearing parties are to be dismissed in conjunction with the settlement that is described herein. The grounds for this joint motion and stipulation are as follows:

1. This action has been settled, and all parties assent to the settlement. The settlement resolves all claims asserted in this action by and against all parties, including named defendants who have not appeared in the action.
2. The parties are in the process of memorializing the settlement. The parties are working cooperatively to document the settlement, and no party anticipates difficulty in arriving at mutually-acceptable documentation of the settlement agreement.
3. As part of the settlement, defendants Gonzalez and Engel are to produce certain documents and information to plaintiffs.

- 1 4. All moving and stipulating parties request a short delay in the filing of a proposed
2 pre-trial order and other pre-trial documents so that they can complete the docu-
3 mentation of the settlement and file a judgment/dismissal with the Court, and can
4 complete the exchange of documents and information to be disclosed to plaintiffs in
5 accordance with the settlement. The parties anticipate that this can be accom-
6 plished by April 27, 2012, or sooner.
- 7 5. The parties now are mindful that the Court's GUIDELINES FOR TRIAL AND FINAL
8 PRETRIAL CONFERENCE IN CIVIL JURY CASES ¶¶ 1-2 required the filing of a pro-
9 posed pre-trial order and other pre-trial documentation in advance of the pre-trial
10 conference scheduled for April 30, 2012. The parties apologize to the Court for
11 failure to file the proposed pre-trial documents, and request a brief extension within
12 which to finalize the documentation of their settlement, which is not "in principle"
13 but has been fleshed out to an extent that permits filing of final judgment/dismissals
14 within a few days.
- 15 6. The moving and stipulating parties do not anticipate that this extension of the dead-
16 lines sought in this joint motion and stipulation will impact other deadlines set in
17 the Court's currently-operative ORDER SCHEDULING TRIAL AND PRETRIAL MATTERS
18 of September 20, 2011, and therefore do not request that any other dates or dead-
19 lines established therein be changed at this time.

20 WHEREFORE defendants Soldado Corporation, Gonzalez, and Engel and all plain-
21 tiffs hereby stipulate and agree, and request the Court to order, that the deadline for filing of a
22 proposed pre-trial order and related pre-trial documents be extended until April 27, 2012 and
23 that the pre-trial conference be postponed to a date and time of the Court's choosing. The
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1 moving and stipulating parties are confident that the proposed judgment/dismissals will be
2 filed before April 27, 2012.

3 DATE: April 20, 2012

4
5 s/ Brian W. Newcomb

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7 _____
8 BRIAN W. NEWCOMB

9 Attorney for defendants Gabriel Gonzalez, Jr.
10 and Soldado Corporation

11 DATE: April 20, 2012

12 LAW OFFICES OF EDWARD F. MITCHELL

13
14 s/ Edward F. Mitchell

15 By _____
16 Edward F. Mitchell

17 Attorneys for plaintiffs ALAN J. WATSON;
18 CASH FLOW FINANCIAL, LLC, a Michigan limited
19 liability company; GALVESTON MATRIX
20 DIVERSIFIED TRUST, an Ohio business trust;
21 and DAVID F. KLIMA, individually and in his
22 capacity as Trustee of Galveston Matrix
23 Diversified Trust

24
25 DATE: April 20, 2012

26 s/ Brian J. Engel


27 _____
28 BRIAN J. ENGEL

In pro per

ORDER

PURSUANT TO STIPULATION, it is so ORDERED. The deadline for filing of a proposed pre-trial order and other pre-trial documents as required by the Court's GUIDELINES FOR TRIAL AND FINAL PRETRIAL CONFERENCE IN CIVIL JURY CASES ¶¶ 1-2 is postponed until April 27 _____, 2012. The pre-trial conference shall be held at 2:00: __ P M on May 21 _____, 2012. The trial is CONTINUED to June 11, 2012 at 8:00 a.m.

DATE: _____, 2012



HONORABLE JEFFREY S. WHITE
United States District Judge